

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

Whiting Oil and Gas Corporation  
West Branch Gas Plant  
2251 Simmons Road  
West Branch, MI 48661

**ATTENTION:**

Jim Clark  
Whiting Oil and Gas Corporation  
Michigan Safety & Environmental Regulatory Compliance

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring Whiting Oil and Gas Corporation (Whiting or you) to submit certain information about the West Branch Gas Plant facility at 2251 Simmons Road, West Branch, Michigan. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 21 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Whiting owns and operates an emission source at the West Branch, MI facility. We are requesting this information to determine whether your emission source is complying with the Michigan State Implementation Plan and applicable Clean Air Act regulations.

Whiting must send all required information to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

Whiting must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

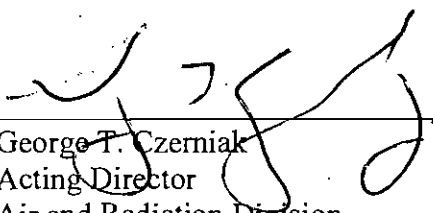
We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Whiting to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Michelle Heger at 312-886-4510.

Date

8/6/12

  
George T. Czerniak  
Acting Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or 40 C.F.R. Part 60, Subparts A, Kb and KKK.

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. “Flare” is broadly defined as any open combustion unit (i.e., lacking an enclosed combustion chamber) whose combustion air is provided by uncontrolled ambient air around the flame, and that is used as a control or safety device. A flare may be equipped with a radiant heat shield (with or without a refractory lining), but is not equipped with a flame air control damping system to control the air/fuel mixture.

In addition, a flare may also use auxiliary fuel. The combustion flame may be elevated or at ground level.

4. "Pilot Gas" means gas injected at a flare tip to maintain a flame.
5. "Purge Gas" or "Sweep Gas" means all gas introduced prior to the flare tip to protect against oxygen buildup in the flare header and/or to maintain a constant flow of gas through the flare and out the tip.
6. "Supplemental Gas" means all gas introduced to raise the heating value of Waste Gas.
7. "Vent Gas" means all gases found just prior to the flare tip. This gas includes all Waste Gas, Purge Gas, Supplemental Gas, nitrogen and hydrogen, but does not include Pilot Gas or steam.
8. "Waste Gas" means all gases routed to a flare for combustion, excluding Purge Gas, Supplemental Gas, Pilot Gas, and steam.

## **Appendix B**

### **Information You Are Required to Submit to EPA**

Whiting Oil and Gas Corporation must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) within 21 calendar days regarding its facility located at 2251 Simmons Road, West Branch, Michigan:

1. Identify the facility's current and previous owners and/or operators. Include the following:
  - a. original construction date of facility;
  - b. official names of owners, operators, and other relevant parties;
  - c. date of ownership change; and
  - d. circumstances of change in ownership (i.e. bankruptcy, name change, merger, etc.).
2. Provide an up-to-date plot plan of the facility.
3. Provide an up-to-date block process flow diagram for the facility.
4. Provide a facility-wide diagram that at a minimum includes and labels, but is not limited to, each piece of processing equipment including any control devices and storage tanks.
5. A detailed description of the operations, including the following:
  - a. source(s) of field gas (name, well and/or pipeline location(s));
  - b. the composition of the field gas (may give typical range in percent (%) of each species);
  - c. step-by-step description of the gas and liquid flows;
  - d. average amount of field gas processed daily, in standard cubic feet per day (scfd);
  - e. design capacity of field gas processing, in scfd;
  - f. daily average generation of each natural gas liquid (NGL), in barrels; and
  - g. daily average amount of natural gas put into a pipeline, in scfd.
6. Provide the date the facility commenced construction, and dates of installation and operation for each piece of equipment since the facility commenced construction. Indicate if any piece of equipment has been idled or removed, with idle/removal date.
7. Provide copies of all current permits (including diagrams, appendices and attachments) to construct, install, and operate issued by EPA or the Michigan Department of Environmental Quality (MDEQ). For each permit:
  - a. specify the date of permit issuance;
  - b. provide a list of equipment permitted;
  - c. state whether the permit is a permit to install or permit to operate;
  - d. state whether the projects allowed by each of the permits requested were completed as described in the applications for each of the permits. If the

- project was completed in a different manner, provide a description of how it was changed; and
- e. provide the original permit application including all appendices, attachments, and revised permit applications.
8. Provide copies of all permit application documents for a Title V Permit for the facility, including all appendices, attachments, and revised permit applications, and any draft Title V Permits issued by MDEQ for the facility.
  9. Provide copies of any and all correspondence with MDEQ and EPA including deviation, malfunction, or abnormal condition reports or notifications, quarterly and semiannual reports, Notices of Violation received from the MDEQ or local environmental agency, and corrective action plans submitted to the MDEQ from July 2002 to the present. Include any record or notification submitted to the MDEQ of emissions unit operation when any air emission control device was not in service.
  10. For each calendar year from 2002 to present, provide copies of each annual air emission statement or report and each annual compliance certification submitted to EPA and/or MDEQ.
  11. Provide an electronic Excel workbook with the complete, facility-wide potential to emit calculations. Include in the response a written description of how each column in the Excel workbook is generated. Include emission factors provided by the unit manufacturer. Clearly indicate the source of any emission factors used in these calculations (i.e. manufacturer, AP-42, etc.) If manufacturer-given factor, provide the document or documents which indicate, describe, or note the proper use of the factor.
  12. Provide in native computer readable format, such as a Microsoft Excel spreadsheet or other accessible format, total emissions of the facility (in tons) for CO, VOC, NO<sub>x</sub>, and HAPs for each emission unit for each month from July 2007 to the present. Also include a detailed explanation of the methods used to determine the total emissions for each pollutant, any and all associated calculations, and emission factors. Clearly indicate the source of any emission factors used in these calculations (i.e. manufacturer, AP-42, etc.) If manufacturer-given factor, provide the document or documents which indicate, describe, or note the proper use of the factor.
  13. Provide in native computer readable format, such as a Microsoft Excel spreadsheet or other accessible format from July 2007 to the present:
    - a. Monthly fuel consumption, in million cubic feet (MMcf);
    - b. Monthly crude/condensate throughput to the tanks, in barrels (bbl); and
    - c. Monthly hydrocarbon liquid trucked (bbls).
  14. For each glycol dehydration unit:
    - a. Provide any and all potential to emit emission calculations from the regenerator still vent column and the flash tank;

- b. Provide the maximum inlet gas flow rate (capacity rate) in million standard cubic feet per day (mmscf/day);
  - c. Provide the number of glycol pumps with the make, model and maximum flow rate capacity (gallons/minute) for each pump;
  - d. Contactor temperature and pressure;
  - e. Extended gas analysis with a description and diagram of where the sample(s) were obtained; and
  - f. Identify and describe the emission control device or control devices associated with each unit.
15. For each glycol dehydration unit for each day from July 1, 2007 to July 1, 2012, provide the inlet gas flow rate (mmscf/day), triethylene glycol (TEG) recirculation flow rate (gallons/minute), TEG make-up flow rate (gallons/minute), contactor temperature, and contactor pressure.
16. Provide copies of the monthly TEG purchase records from July 2007 to the present.
17. Provide a copy of all notices and reports submitted to EPA and MDEQ pursuant to the National Emission Standards for Hazardous Air Pollutants for Oil and Natural Gas Production, Subpart HH ("MACT HH").
18. Provide full copies of all performance tests from start-up to present. Include all test runs, even if a full test series was not completed. In the response, clearly identify the emissions unit, specify the date of the test and test method(s) used. Performance testing includes, but is not limited to, emission testing; compliance testing or monitoring; engineering testing; testing for general information; capture efficiency studies or tests; and any test, analysis, or determination of destruction efficiency. Provide a copy of any report that resulted from the test that meets the above criteria. Indicate whether such report was shared with the local and/or state permitting agency. A copy of the summary pages from each report is not sufficient; provide copies of the entire report. Provide all calculations relative to the test, and provide copies of the full test report, including the section describing the process parameters and production or processing rates at the time of the test. Also, provide copies of any reports of visible emission observations conducted during each test. For each test during which the source was not operating at maximum design capacity, provide an explanation why production was limited.
19. Provide dates of process unit shut downs, including the units affected, length of time, and events where air pollution control devices were bypassed from July 1, 2007 to the present. Indicate for each of the shut down events whether field gas continued to flow through the facility in any way and which units continued to have flow-through of field gas. Provide a detailed narrative description identifying any and all bypass practices including frequency, reason, length of time, etc. (i.e. bypass during start-up, shut-down, and/or malfunction) of any control device.
20. During EPA's inspection on April 4, 2012 of Whiting's West Branch facility, EPA's FLIR™ infrared camera identified hydrocarbon emissions. Describe any actions

taken by Whiting personnel or contractors subsequent to the April 4, 2012 inspection to address the fugitive or uncaptured hydrocarbon emissions. In your description(s), please identify the specific piece of equipment where an action took place, describe the action(s) that took place, how your action impacts potential fugitive emissions, and the date the action(s) took place.

21. Provide any and all documents that include determinations, engineering assessments, and/or associated explanations made regarding applicability of 40 CFR, Part 60, Subpart KKK, Onshore Natural Gas Processing Facilities.
22. Provide full copies of the facility's annual leak detection and maintenance plans for each calendar year from 2010 through the present.
23. For all compressors used at the facility:
  - a. List each compressor with an identification number and/or name;
  - b. Identify the type/design of each compressor (e.g. reciprocating, centrifugal, etc.);
  - c. Describe the step in the process for which the compressor is used;
  - d. State whether each compressor contains or contacts field gas before the NGL extraction step in the process;
  - e. State whether each compressor contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of 40 C.F.R. §60.485(d) specify how to determine if a piece of equipment is or is not in VOC service.) Indicate the method (e.g. testing, process knowledge, etc.) by which this determination is made;
  - f. Describe the compressor seal system and barrier fluid system including but not limited to: 1) operating pressure of the barrier fluid and pressure of the compressor stuffing box pressure; 2) control device for barrier fluid system degassing reservoir; 3) whether each compressor is equipped with a closed vent system to capture and transport leakage from the compressor drive shaft back to a process or fuel gas system or to a control device that complies with the requirements of 40 C.F.R. § 60.482-10; 4) purge system for the barrier fluid; 5) sensor system used to detect failure of the seal system, barrier fluid system, or both; and 6) frequency of monitoring of sensor system.
  - g. State whether each compressor is designated for no detectable emissions, as indicated by an instrument reading of less than 500 parts per million above background. If any compressor is so designated, provide the date and concentration record from each EPA Reference Method 21 monitoring event for the past 10 years.
  - h. Provide the date(s) of any modifications to each compressor, including replacement, change, or upgrade to the seal design.
24. For all other equipment (*i.e.* pumps, valves, pressure relief devices):
  - a. list each component with an identification number and/or name;
  - b. identify the type/design of each component;
  - c. describe the step in the process for which the component is used;

- d. state whether the equipment contains or contacts field gas before the NGL extraction step in the process;
  - e. state whether the equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of 40 C.F.R. § 60.485(d) specify how to determine if a piece of equipment is or is not in VOC service.) Indicate the method (e.g. testing, process knowledge, etc.) by which this determination is made;
  - f. state whether the equipment is in gas/vapor service, light liquid service, or heavy liquid service. (The provisions of 40 C.F.R. § 60.633(h) specify how to determine if a piece of equipment is in heavy liquid service or in light liquid service.) Indicate the method (e.g. testing, process knowledge, etc.) by which this determination is made; and
  - g. provide results of all monitoring performed pursuant to 40 C.F.R. § 60.485(b) for valves and pumps per each periodic monitoring frequency.
25. Provide in native computer readable format, such as a Microsoft Excel spreadsheet or other accessible format, a log of all components that have leaked, per the leak definitions incorporated under 40 C.F.R. § 60.632, for the time period of July 1, 2007 to the present, including:
- a. Leak concentration;
  - b. Date of first attempt of repair;
  - c. Date of final repair; and
  - d. If delay of repair, provide reason and subsequent repair date.
26. Identify and describe the method or methods used to identify the leaks reported in Paragraph 25 above including a description of any and all calibration procedures for each monitoring event. Identify and describe the equipment and supplies used during each monitoring event including but not limited to the VOC monitoring instruments, calibration gases, and zero gases.
27. Identify any gas processing operations which use dew point or JT skids to remove natural gas liquids (condensates) from field gas.
28. Provide copies of the semiannual reports submitted to MDEQ or EPA, which are required by 40 C.F.R. §§ 60.636 and 60.487 and Permit No. 529-87 (Appendix A, Section V).
29. Provide a copy of all notices and reports submitted to EPA and MDEQ pursuant to NSPS for Onshore Natural Gas Processing Facilities 40 C.F.R. Part 60, Subpart KKK.
30. For each storage vessel, including all tanks, reservoirs, or containers used for the storage of volatile organic liquids (VOL), both in and out of service, provide:
- a. Date of installation;
  - b. Dimensions;
  - c. Analysis showing the design capacity of the storage vessel;

- d. For all VOL or material stored provide:
    - i. Period of storage; and
    - ii. Maximum true vapor pressure of material stored during the respective storage period. (The provisions of 40 C.F.R. § 60.111b specify how to determine the maximum true vapor pressure.) Indicate the method (e.g. testing, process knowledge, etc.) by which this determination is made.
  - e. Dates of service;
  - f. Type of air pollution control equipment on each storage vessel (e.g. whether each is equipped with a fixed roof in combination with an internal floating roof, an external floating roof, or a closed vent system and control device.)
    - i. Provide documentation demonstrating the control efficiency of the control device during maximum loading conditions;
    - ii. If a closed vent system is used, state which units are included in the closed vent system and the date the unit was added to the closed vent system; and
    - iii. Provide the date of installation for each air pollution control device on each storage vessel.
31. Provide a copy of all notices and reports submitted to EPA and MDEQ pursuant to NSPS for Volatile Organic Liquid Storage Vessels, 40 C.F.R. Part 60, Subpart Kb.
32. For each day beginning on January 1, 2007, until the date of your receipt of this request, list the periods of time (date, start time, and end time) that Waste Gas, Purge Gas, and/or Supplemental Gas was routed to each flare at the West Branch facility (i.e., "venting periods"). Provide a narrative description of the venting periods including the reason and whether the flare system blower was used during each period. For each period, state what level the blower was set on throughout the event (ex. on, off, high, low). This request and all requests below seek information regarding all facility devices meeting the definition of flare.
33. For each venting period listed in response to Paragraph 32 above, provide the average heating value, in BTU/scf, of the stream that was vented to each facility flare. The averaging time shall not be greater than one hour. If the heating value is not measured, you shall use the best means available to estimate it. Provide a narrative explanation and example calculations describing how you arrived at your response.
34. For each venting period listed in response to paragraph 32 above, provide the average mass flow rate of the Vent Gas, in lb/hr, that was vented to each facility flare. The averaging time shall be no more than one hour. If the mass flow rate is not measured, you shall use the best means available to estimate it. Provide a narrative explanation and example calculations describing how you arrived at your response.
35. For each venting period listed in response to paragraph 32 above, provide the average rate at which steam and/or air was being added to each facility flare, in lb/hr for steam and/or scf/hr for air, at all locations on each flare (i.e., the sum of seal, upper, lower, winterizing, etc.) during each venting period. The averaging time shall not be greater

than one hour. If the steam and/or air flow is not measured, you shall use the best means available to estimate it. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.

36. For each venting period listed in response to paragraph 32 above, provide the average steam-to-Vent Gas or air-to-Vent Gas ratio (lb steam/lb Vent Gas or scf of air/lb of Vent Gas) during any release to each facility flare. The averaging time shall be no more than one hour. Provide a narrative explanation and example calculations, if appropriate, describing how you arrived at your response.
37. Provide a one-hour average of the concentration of each constituent in the Vent Gas during venting periods for the dates beginning one month prior to your receipt of this request, until the date of receipt of your request.
38. Provide a list of the primary constituents in the Vent Gas routed to each flare for venting periods since January 1, 2007, and an estimated range of each constituent's concentration. Except for the period specified in paragraph 37, you need not determine the exact concentration of all compounds for each period of time, but only the most prominent compounds and an approximate range of concentration.
39. For each facility flare, provide the minimum steam or air addition rate, in lb/hr for steam and/or scf/hr for air, at all locations on each flare (seal, upper and lower). To the extent that the minimum steam or air addition rate changes on a seasonal basis, state the minimum rate for each season and the time periods during which each season's minimum rate applies.
40. Provide copies of any and all documents in your possession, custody, or control that prescribe or recommend the amount of steam or air to be added to each facility flare. Provide a copy of the entire document if, within the document, it states the maximum steam or air rate, minimum steam or air rate, steam or air addition rate associated with a vent scenario, general steam-to-vent gas or air-to-organic gas/vent gas ratio, or any other reference to steam addition.
41. Provide a copy of all design specifications, diagrams, manufacturer recommendations and operation and maintenance manuals for the flares and any other control device at the facility.
42. State with specificity which, if any, federal and/or state regulations you believe regulate/apply to each flare, including any and all documents that include determinations, engineering assessments, and/or associated explanations made regarding applicability to each flare.
43. For each facility flare, state whether the flare is configured to receive gases/vapors from one or more pressure relief device(s), which is a safety device used to prevent operating pressures from exceeding the maximum allowable working pressure of the process equipment.

44. Identify and describe the device used to monitor the presence of each flare's pilot flame. Include a description of how it identifies the presence of the pilot flame. Provide the monitoring data from this device for each day during the period of July 1, 2007 through July 1, 2012.
45. State whether each flare and its associated closed vent system is used as the method of compliance with any federal regulation, including without limitation, the Standards of Performance for New Stationary Sources found at 40 C.F.R. Part 60, the National Emission Standards for Hazardous Air Pollutants found at 40 C.F.R. Part 61, and the National Emission Standards for Hazardous Air Pollutants for Source Categories found at 40 C.F.R. Part 63, (specifically including without limitation any leak detection and repair provisions promulgated under these Parts such as 40 C.F.R. § 60.482-4(c), or 40 C.F.R. § 63.165(c)). In each such case, identify the process unit or equipment that is/are the "affected facility" under the applicable Part and the specific Subpart that applies to the "affected facility."

## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A),(B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

## Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by **page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

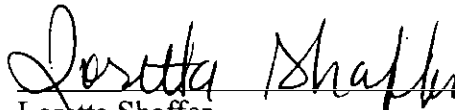
I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the  
Clean Air Act by Certified Mail, Return Receipt Requested, to:

Jim Clark  
Michigan Safety & Environmental Regulatory Compliance  
Whiting Oil and Gas Corporation  
West Branch Gas Plant  
2251 Simmons Road  
West Branch, MI 48661

I also certify that I sent a copy of the Request to Provide Information Pursuant to the  
Clean Air Act by First-Class Mail to:

Thomas Hess  
Enforcement Unit Chief  
Michigan Department of Natural Resources & Environment  
Air Quality Division  
P.O. Box 302  
Lansing, Michigan 48909

On the 9 day of August 2012.

  
Loretta Shaffer  
Administrative Program Assistant  
AECAB, Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7467 5352